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*Attorneys for Plaintiff
Celgene Corporation*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CELGENE CORPORATION,

Plaintiff,

v.

**PAR PHARMACEUTICAL, INC., PAR
PHARMACEUTICAL COMPANIES,
INC., and TEVA PHARMACEUTICALS
USA, INC.,**

Defendants.

Civil Action No. 17-3159 (ES)(MAH)

(Filed Electronically)

CELGENE CORPORATION,

Plaintiff,

v.

**HETERO LABS LIMITED, HETERO
LABS LIMITED UNIT-V, HETERO
DRUGS LIMITED, HETERO USA, INC.,
AUROBINDO PHARMA LIMITED,
AUROBINDO PHARMA USA, INC.,
AUROLIFE PHARMA LLC, EUGIA
PHARMA SPECIALTIES LIMITED,
APOTEX INC., APOTEX CORP., MYLAN
PHARMACEUTICALS, INC., MYLAN
INC., MYLAN, N.V., and
BRECKENRIDGE PHARMACEUTICAL,
INC.,**

Defendants.

Civil Action No. 17-3387 (ES)(MAH)

(Filed Electronically)

DECLARATION OF FRANK C. CALVOSA
IN SUPPORT OF CELGENE'S OPENING *MARKMAN* BRIEF

I, FRANK C. CALVOSA, declare as follows:

1. I am an attorney-at-law in good standing in the State of New Jersey and the State of New York, am admitted to practice in this Judicial District, and am an associate at the firm Quinn Emanuel Urquhart & Sullivan, LLP. I am an attorney for Plaintiff Celgene Corporation (“Celgene”) in the above-captioned matter. I make this declaration in support of Celgene’s Opening *Markman* Brief. If called to testify, I could and would testify competently to the following facts.

2. Attached as **Exhibit 1** is a true and correct copy of United States Patent No. 8,198,262.

3. Attached as **Exhibit 2** is a true and correct copy of United States Patent No. 8,673,939.

4. Attached as **Exhibit 3** is a true and correct copy of United States Patent No. 8,735,428.

5. Attached as **Exhibit 4** is a true and correct copy of United States Patent No. 8,828,427.

6. Attached as **Exhibit 5** is a true and correct copy of United States Patent No. 6,315,720.

7. Attached as **Exhibit 6** is a true and correct copy of United States Patent No. 6,561,977.

8. Attached as **Exhibit 7** is a true and correct copy of United States Patent No. 6,755,784.

9. Attached as **Exhibit 8** is a true and correct copy of United States Patent No. 8,315,886.

10. Attached as **Exhibit 9** is a true and correct copy of United States Patent No. 8,626,531.

11. Attached as **Exhibit 10** is a true and correct copy of an excerpt of the file history of United States Patent No. 8,673,939, dated October 8, 2013.

12. Attached as **Exhibit 11** is a true and correct copy of an excerpt of the file history of United States Patent No. 8,735,428, dated October 9, 2013.

13. Attached as **Exhibit 12** is a true and correct copy of an excerpt of the file history of United States Patent No. 8,673,939, dated October 9, 2013.

14. Attached as **Exhibit 13** is a true and correct copy of an excerpt of the file history of United States Patent No. 8,735,428, dated October 17, 2013.

15. Attached as **Exhibit 14** is a true and correct copy of *Coalition for Affordable Drugs VI, LLC v. Celgene Corp.*, IPR2015-01096, Paper 73 (PTAB Oct. 26, 2016).

16. Attached as **Exhibit 15** is a true and correct copy of an excerpt of the file history of United States Patent No. 6,315,720, dated April 12, 2001.

17. Attached as **Exhibit 16** is a true and correct copy of an excerpt of the file history of United States Patent No. 6,315,720, dated June 25, 2001.

18. Attached as **Exhibit 17** is a true and correct copy of an excerpt of the file history of United States Patent No. 6,045,501, dated October 1, 1999.

19. Attached as **Exhibit 18** is a true and correct copy of an excerpt of the file history of United States Patent No. 6,045,501, dated November 10, 1999.

I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true and correct. Executed on this 15th day of November, 2018, in New York, New York.



Frank C. Calvosa